

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: SANDY J. BATTISTA, Plaintiff

C.A.NO.04-10779-DPW.

AFFIDAVIT OF THE PLAINTIFF, SANDY J. BATTISTA, #M-15930

I, Sandy J. Battista, on oath deposes and states under the pains and penalties of perjury the following:

1) That I am the plaintiff in the above-entitled matter, having personal knowledge of all facts and circumstances in this action makes this affidavit in support of my motion for leave to reevaluate my financial status.

2) That despite being provided housing, food, and medical expenses, contrary to what is commonly assumed, the Department of Correction does not provide for all residents basic necessities.

3) Aside from housing, food, and medical expenses, if indigent, the Department of Correction only provides residents with: one roll of toilet paper each week; one small kit every two weeks containing 1-disposable razor, 1-comb, 1-(1oz.) bottle of shampoo, 1-toothbrush, 1-(1.5oz.) tube of toothpaste, and 1-(1oz.) bar of soap; and once every four months with 2-prs of state issued prisoner scrubs(pants & top), 2-socks, 2-T-shirts, 2-prs. boxer shorts, and 1-pr. of slip-on canvas shoes.

4) Residents like the plaintiff, whether declared indigent or not, must provide for all other basic necessities, at their own expense, such as: any additional necessary weekly soap, toothpaste, razors, shaving creme, after shave lotion, hair

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conditioner, shampoo, lotion, body powder, deodorant, dental floss, toilet paper, paper, pens, pencils, envelopes, stamps, jeans, underwear, socks, t-shirts, sweatpants/tops, shorts, dress pants/shirts/shoes, sneakers, boots, sweaters, thermal underwear(top/bottom), winter coats, pajama's, shower shoes, bathrobe, etc..

5) The above items are not "luxuries," but are "basic necessities" that are not provided to residents by the Department of Correction. These items must be purchased by the resident at his/her own expense, and are charged "full" street prices, despite the modest \$1.00 a day paid by the Department of Correction to each resident for institutional employment.

6) Aside from the above basic necessities, residents like the plaintiff, whether declared indigent or not, must also provide for any needed luxury items such as: T.V., Radio, Headphones, Combination Locks, Sun Glasses, Fan, Hot Pot, external cable/-antenna for T.V.'s, extension cord, etc.. These items, despite being questionably "luxury items," are taken for granted by society as 'daily' needed items, to either pass time, for recreational use, or even to keep up on daily news events.

7) Plaintiff is currently employed at the rate of \$1.00 a day, seven days a week, and receives no other source of income from either family or friends.

8) That as reflected by the attached six month computer print-out of my current personal account, my financial status is approximately \$153.99 as of October 19, 2004.

9) On 10/21/04 I was charged 29.10 for necessary weekly

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personal hygiene and legal necessities. bringing my current financial status to \$124.89.

10) The depletion of personal funds since my original filing of the Complaint was necessary in order to provide for myself over the course of approximately six months weekly personal hygiene supply's, legal supply's, postage, and necessary clothing.

11) At present date, I do not have adequate funds to pay filing fees in this action, therefore, without this court's waiver would be forced to abandon the claims at hand.

Signed under the pains and penalties of perjury this  
22nd day of October, 2004.

  
Sandy J. Battista, #M-15930  
Plaintiff/Pro-se